

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

KATASHA STERNS,

Plaintiff,

v.

CHILD PROTECTIVE SERVICES, *et al.*,

Defendants.

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CIVIL ACTION NO. 9:24-CV-81-MJT-CLS

**MEMORANDUM ORDER ADOPTING THE REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE [Dkt. 6]**

Pursuant to 28 U.S.C. § 636 and the Local Rules of Court for the Assignment of Duties to United States Magistrate Judges, the District Court referred this proceeding to the Honorable Christine L. Stetson to conduct all pretrial proceedings, to enter findings of fact and recommend disposition on case-dispositive matters, and to determine non-dispositive matters. *See* 28 U.S.C. § 636(b)(1); E.D. TEX. LOC. R. CV-72.

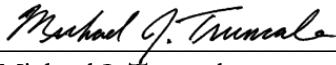
Plaintiff, proceeding *pro se* and *in forma pauperis*, filed suit on April 22, 2024, alleging Defendants violated her constitutional rights and seeking her child be returned to her custody [Dkt. 1 at 4-5]. Judge Stetson entered an order on April 23, 2024, requiring Plaintiff to “submit to the court the necessary street address for Defendants Child Protective Services, Emalee Trawoski and Jim Lostracco, for purposes of service” on or before May 15, 2024 [Dkt. 3 at 2]. The order stated that “Plaintiff is advised that failure to comply with this order may lead to a recommendation that the lawsuit be dismissed, with or without prejudice, for failure to prosecute or to obey any order of the court. FED. R. CIV. P. 41(b)” [*Id.* at 2]. As Plaintiff never provided the Court with the required addresses, Judge Stetson entered a Report and Recommendation [Dkt. 6] that her claims be dismissed without prejudice pursuant to FED. R. CIV. P. 41(b) for want of prosecution. Plaintiff

did not object to Judge Stetson's Report and Recommendation and the time to do so has passed. After careful review, the Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, the Report and Recommendation of the United States Magistrate Judge [Dkt. 6] is ADOPTED. Plaintiff's claims are DISMISSED without prejudice pursuant to FED. R. CIV. P. 41(b). A final judgment will be entered by the Court.

IT IS SO ORDERED.

SIGNED this 3rd day of July, 2024.



Michael J. Truncala
United States District Judge